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DOCKET NO.: 240062US2X/phh

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DANCE APPLICATION OF:

Toshio SANO, et al.

SERIAL NO: 10/614,819

GROUP: 2621

FILED:

July 9, 2003

EXAMINER:

FOR:

IMAGE SENSOR UNIT

LETTER

Mail Stop DD Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Chinese Office Action for the Examiner's consideration. The reference cited therein has been previously filed on July 9, 2003.

Respectfully Submitted,

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TEXT OF THE FIRST OFFICE ACTION

The present application relates to an image sensor unit. After the examination, the opinions are provided as follows:

The technical solution of the Claim 1 does not possess novelty as prescribed in Article 22, paragraph 2 of the Patent Law of China. The reference 1 (JP 2001102004A) discloses a lamp used for image reading device, with the following technical features: "the lamp comprises two electrodes parallel to each other and with a discharge space therebetween; an electron radiating matter layer and a fluorescent substance layer are provided in the discharge space and cover the two electrodes; rare-gas is filled between the electrodes and the light emitting layer, wherein the electron radiating matter layer is located at an uncovered region of the scanning area and the fluorescent substance layer is exposed to the discharge space"(referring to line 28 column 7 on page 5 to line 10 column 10 on page 6 of the description and Figures 1, 3 of the reference). It is seen that the reference 1 has disclosed all the technical features of the claim. The technical solution of the reference 1 and that of the claim belong to a same technical field and can produce same technical effect. Therefore, the technical solution of the claim does not possess novelty.

The dependent Claim 4 further defines the Claim 1, and the technical feature in its characterizing portion has also been disclosed by the reference 1 (referring to lines 21-34 column 8 on page 5 of the description and Figures 1, 3 of the reference). Therefore, when the Claim 1 it refers to does not possess novelty, the technical solution of the dependent claim does not possess novelty as prescribed in Article 22, paragraph 2 of the Patent Law of China.

The dependent Claim 5 further defines the Claim 4, and the technical feature in its characterizing portion has also been disclosed by the reference 1 (referring to line 36 column 7 to line 20 column 8 on page 5 of the description and Figure 3 of the reference). Therefore, when the Claim 4 it refers to does not possess novelty, the technical solution of the dependent claim does not possess novelty as prescribed in Article 22, paragraph 2 of the Patent Law of China.

The dependent Claim 8 further defines the Claim 1, and the technical feature in its characterizing portion has also been disclosed by the reference 1 (referring to lines 28-43 column 7 on page 5 of the description and Figures 1, 3 of the reference). Therefore, when the Claim 1 it refers to does not possess novelty, the technical solution of the dependent claim does not possess novelty as prescribed in Article 22, paragraph 2 of the Patent Law of China.

In addition, the specific explanation about Figure 4 in the *Mode of Carrying out the Invention* part in the description can not be found in the Figure 4. The "external

electrode" in line 14 on page 13 of the description lacks reference sign in the accompanying drawings. As a result, the description is not consistent with the accompanying drawings, and so does not comply with the provision of Rule 18, paragraph 1 (5) of the Implementing Regulations of the Patent Law of China. The applicant should make amendment so as to comply with the provisions of Rule 18, paragraph 1 (3) of the Implementing Regulations of the Patent Law of China and corresponding part in the Guidelines for Patent Examination.

Examiner: Wu Shuang

LYU

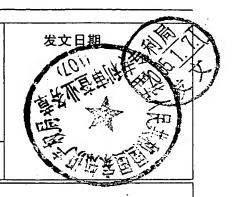
·PKRH0130

中华人民共和国国家知识产权局

邮政编码: 100101

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申请号:031550118



申请人:株式会社理光,三菱电机株式会社

发明创造名称:图像传感器装置

第一次审查意见通知书

I. ☑应申请人提出的实审请求,根据专利法第 35 条第 1 款的规定,国家知识产权局对上述发明专利申请进行实质审查。

□根据专利法第35条第2款的规定,国家知识产权局决定自行对上述发明专利申请进行审查。

2. 🔽申请人要求以其在:

专利局的申请日 2002年 07月 10日为优先权日, TP. 年 月 日为优先权日, 专利局的申请日 月 日为优先权日, 专利局的申请日 年 月 专利局的申请日 年 日为优先权日, 年 月 日为优先权日。 专利局的申请日

☑申请人已经提交了经原申请国受理机关证明的第一次提出的在先申请文件的副本。

□申请人尚未提交经原申请国受理机关证明的第一次提出的在先申请文件的副本,根据专利法第 30 条的规定视为未提出优先权要求。

3. □经审查,申请人于:

年 月 日提交的

不符合实施细则第51条的规定;

年 月 日提交的

不符合专利法第33条的规定;

年 月 日提交的

4. 审查针对的申请文件:

□原始申请文件。 □□审查是针对下述申请文件的

申请日提交的原始申请文件的权利要求第 1-12 项、说明书第 2--7,9-11 页、附图第

1-4 页;

2004 年 7 月 22 日提交的权利要求第

项、说明书第 1,8 页、附图第

页;

年 月 日提交的权利要求第 年 月 日提交的权利要求第 项、说明书第 项、说明书第 页、附图第 页、附图第

页; 页:

2003 年 7 月 10 日提交的说明书摘要, 2003 年 7 月 10 日提交的摘要 附图。

5. □本通知书是在未进行检索的情况下作出的。

☑本通知书是在进行了检索的情况下作出的。

☑本通知书引用下述对比文献(其编号在今后的审查过程中继续沿用):

编号

文件号或名称

公开日期(或抵触申请的申请日)

1 11 2001-102004Λ

2001.04.13

6. 审查的结论性意见:

☑关于说明书:

第一次审查意见通知书正文

申请号: 031550118

本申请涉及一种图像传感器装置,经审查,现提出如下的审查意见。

权利要求1所要求保护的技术方案不具备专利法第二十二条第二款规定的新颖性。对比文件1(JP 2001102004A)公开了一种用于图像读取设备的灯管,并具体公开了以下技术特征"该灯具有两个平行的电极,电极之间有一个放电空间,具有电子放射物质层和荧光体层,并覆盖在两个电极上,在电极和发光层之间充满了稀有气体,其中电子放射物质层位于扫描区的未覆盖区,且荧光体层暴露于放电空间"(参见该对比文件的说明书第5页第7栏第28行一第6页第10栏第10行,附图1,3)。由此可见,对比文件1已经公开了该权利要求的全部技术特征,且对比文件1所公开的技术方案与该权利要求所要求保护的技术方案属于同一技术领域,并能产生相同的技术效果,因此该权利要求所要求保护的技术方案不具备新颖性。

从属权利要求4对权利要求1作了进一步的限定,其限定部分的附加技术特征同样已被对比文件1公开(参见该对比文件的说明书第5页第8栏第21行一第34行,附图1,3),因此当其引用的权利要求1不具备新颖性时,该从属权利要求所要求保护的技术方案也不具备专利法第二十二条第二款所规定的新颖性。

从属权利要求5对权利要求4作了进一步的限定,其限定部分的附加技术特征同样已被对比文件1公开(参见该对比文件的说明书第5页第7栏第36行一第8栏第20行,附图3),因此当其引用的权利要求4不具备新颖性时,该从属权利要求所要求保护的技术方案也不具备专利法第二十二条第二款所规定的新颖性。

从属权利要求8对权利要求1作了进一步的限定,其限定部分的附加技术特征同样已被对比文件1公开(参见该对比文件的说明书第5页第7栏第28行一第43行,附图1,3),因此当其引用的权利要求1不具备新颖性时,该从属权利要求所要求保护的技术方案也不具备专利法第二十二条第二款所规定的新颖性。

另外,在本申请说明书具体实施方式中对附图4的具体说明部分在附图4中找不到,且说明书第5页第1行"外部电机"在附图上没有标记,导致与附图不一致,因此不符合专利法实施细则第十八条第一款第五项的规定,申请人应对此作出修改,使其符合专利法实施细则第十八条第一款第(三)项以及审查指南相应部分的有关规定。

申请人应当在本通知书指定的答复期限内对本通知书提出的问题逐一进行答复, 必要时应修改专利申请文件, 否则本申请将难以获得批准。申请人对申请文件的修改应

中华人民共和国国家知识产权局

当符合专利法第三十三条的规定,不得超出原说明书和权利要求书记载的范围。

审查员: 吴爽

代码: 3514